

**U.S. District Court**  
**District of Columbia (Washington, DC)**  
**CIVIL DOCKET FOR CASE #: 1:17-cv-01938-CRC**

PUBLIC CITIZEN, INC. v. DEPARTMENT OF LABOR  
Assigned to: Judge Christopher R. Cooper  
Cause: 05:552 Freedom of Information Act

Date Filed: 09/22/2017  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**PUBLIC CITIZEN, INC.**

represented by **Adina H. Rosenbaum**  
PUBLIC CITIZEN LITIGATION  
GROUP  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Sean M. Sherman**  
PUBLIC CITIZEN LITIGATION  
GROUP  
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Email: [ssherman@citizen.org](mailto:ssherman@citizen.org)  
**TERMINATED: 11/29/2018**

V.

**Defendant**

**DEPARTMENT OF LABOR**

represented by **Scott Leeson Sroka**  
U.S. ATTORNEY'S OFFICE FOR THE  
DISTRICT OF COLUMBIA  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
09/22/2017	<u>1</u>	COMPLAINT against DEPARTMENT OF LABOR ( Filing fee \$ 400 receipt number 0090-5127887) filed by PUBLIC CITIZEN, INC.. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons)(Sherman, Sean) (Entered: 09/22/2017)
09/22/2017	<u>2</u>	NOTICE of Appearance by Sean M. Sherman on behalf of PUBLIC CITIZEN, INC. (Sherman, Sean) (Entered: 09/22/2017)
09/22/2017		Case Assigned to Judge Christopher R. Cooper. (zsb) (Entered: 09/22/2017)
09/22/2017	<u>3</u>	SUMMONS (3) Issued Electronically as to DEPARTMENT OF LABOR, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Consent Form)(zsb) (Entered: 09/22/2017)

10/02/2017	<u>4</u>	NOTICE of Appearance by Scott Leeson Sroka on behalf of DEPARTMENT OF LABOR (Sroka, Scott) (Entered: 10/02/2017)
10/25/2017	<u>5</u>	ANSWER to Complaint by DEPARTMENT OF LABOR.(Sroka, Scott) (Entered: 10/25/2017)
10/25/2017		MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. Since the requirements of LCvR 16.3 and Rule 26(f) of the Federal Rules of Civil Procedure do not apply, it is hereby ORDERED that the parties shall confer and file a joint proposed schedule for briefing or disclosure by November 9, 2017. Signed by Judge Christopher R. Cooper on 10/25/2017. (lccrc2) (Entered: 10/25/2017)
10/25/2017		Set/Reset Deadlines: Joint Proposed Briefing Schedule due by 11/9/2017 (lsj) (Entered: 10/25/2017)
11/09/2017	<u>6</u>	Joint STATUS REPORT by PUBLIC CITIZEN, INC.. (Sherman, Sean) (Entered: 11/09/2017)
11/14/2017		MINUTE ORDER: In light of <u>6</u> the parties' Joint Status Report, it is hereby ORDERED that the parties shall file a joint proposed scheduling order by November 29, 2017. Signed by Judge Christopher R. Cooper on 11/14/2017. (lccrc2) (Entered: 11/14/2017)
11/15/2017		Set/Reset Deadlines: Joint Proposed Briefing Schedule due by 11/29/2017 (lsj) (Entered: 11/15/2017)
11/29/2017	<u>7</u>	Joint STATUS REPORT by PUBLIC CITIZEN, INC.. (Sherman, Sean) (Entered: 11/29/2017)
11/30/2017		MINUTE ORDER: In light of <u>7</u> the parties' joint status report, the parties are directed to file a joint proposed scheduling order by December 6, 2017. Signed by Judge Christopher R. Cooper on 11/30/2017. (lccrc2) (Entered: 11/30/2017)
12/01/2017		Set/Reset Deadlines: Joint Proposed Briefing Schedule due by 12/6/2017 (lsj) (Entered: 12/01/2017)
12/06/2017	<u>8</u>	Joint STATUS REPORT <i>and Proposed Schedule for Disclosure</i> by PUBLIC CITIZEN, INC.. (Sherman, Sean) (Entered: 12/06/2017)
12/08/2017		MINUTE ORDER: In light of <u>8</u> the parties' joint proposed schedule, the schedule for production in this case shall be as follows: Defendant will disclose the non-exempt portions of all records from the Office of the Secretary by December 15, 2017; Defendant shall process records from the Mine Safety and Health Administration at a rate of approximately 500 pages per month, with the first production occurring on January 15, 2018; and Defendant shall review and produce approximately 500 pages of Occupational Health and Safety Administration records per month, with the first production occurring on January 15, 2018. The parties shall file a joint status report by May 15, 2018 updating the Court on the progress of production and, if necessary, proposing a further schedule for production or briefing. Signed by Judge Christopher R. Cooper on 12/8/2017. (lccrc2) (Entered: 12/08/2017)
12/08/2017		Set/Reset Deadlines: Joint Status Report due by 5/15/2018 (lsj) (Entered: 12/08/2017)
05/15/2018	<u>9</u>	Joint STATUS REPORT by PUBLIC CITIZEN, INC.. (Sherman, Sean) (Entered: 05/15/2018)
05/16/2018		MINUTE ORDER: In light of <u>9</u> the parties' joint status report, the parties are directed to file a further joint status report by June 15, 2018 updating the Court on the status of production and proposing a further schedule for production or, if necessary, briefing. Signed by Judge Christopher R. Cooper on 5/16/2018. (lccrc2) (Entered: 05/16/2018)
05/16/2018		Set/Reset Deadlines: Joint Status Report due by 6/15/2018 (lsj) (Entered: 05/16/2018)
06/15/2018	<u>10</u>	Joint STATUS REPORT by PUBLIC CITIZEN, INC.. (Sherman, Sean) (Entered: 06/15/2018)
06/15/2018		MINUTE ORDER: In light of <u>10</u> the parties' joint status report, the parties are directed to file a further joint status report by July 15, 2018 updating the Court on the status of production and proposing a further schedule for production and, if necessary, briefing. Signed by Judge Christopher R. Cooper on 6/15/2018. (lccrc2) (Entered: 06/15/2018)

06/18/2018		Set/Reset Deadlines: Joint Status Report due by 7/15/2018 (lsj) (Entered: 06/18/2018)
07/13/2018	<u>11</u>	Joint MOTION for Extension of Time to <i>File Joint Status Report</i> by DEPARTMENT OF LABOR (Sroka, Scott) (Entered: 07/13/2018)
07/17/2018		MINUTE ORDER granting <u>11</u> Motion for Extension of Time. The parties' joint status report shall now be due by July 27, 2018. Signed by Judge Christopher R. Cooper on 7/17/2018. (lccrc2) (Entered: 07/17/2018)
07/17/2018		Set/Reset Deadlines: Joint Status Report due by 7/27/2018 (lsj) (Entered: 07/17/2018)
07/27/2018	<u>12</u>	Joint STATUS REPORT by DEPARTMENT OF LABOR. (Sroka, Scott) (Entered: 07/27/2018)
07/30/2018		MINUTE ORDER: In light of <u>12</u> the parties' joint status report, production shall proceed as follows: Defendant shall review approximately 750 pages of OSHA records and produce responsive pages by September 14, 2018. Thereafter, Defendant shall review approximately 500 pages of OSHA records per month and produce responsive pages, with the first production occurring on October 15, 2018. The parties shall file a further joint status report on October 19, 2018 updating the Court on the status of production and, if necessary, proposing a further schedule for production or briefing. Signed by Judge Christopher R. Cooper on 7/30/2018. (lccrc2) (Entered: 07/30/2018)
07/30/2018		Set/Reset Deadlines: Joint Status Report due by 10/19/2018. (nbn) (Entered: 07/30/2018)
10/19/2018	<u>13</u>	Joint STATUS REPORT by PUBLIC CITIZEN, INC.. (Sherman, Sean) (Entered: 10/19/2018)
10/22/2018		MINUTE ORDER: In light of the parties' <u>13</u> joint status report, the parties shall file an updated joint status report on or before March 22, 2019. Signed by Judge Christopher R. Cooper on 10/22/2018. (lccrc2) (Entered: 10/22/2018)
10/23/2018		Set/Reset Deadlines: Joint Status Report due by 3/22/2019 (lsj) (Entered: 10/23/2018)
11/28/2018	<u>14</u>	NOTICE of Appearance by Adina H. Rosenbaum on behalf of PUBLIC CITIZEN, INC. (Rosenbaum, Adina) (Entered: 11/28/2018)
11/29/2018	<u>15</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to PUBLIC CITIZEN, INC.. Attorney Sean M. Sherman terminated. (Sherman, Sean) (Entered: 11/29/2018)
03/22/2019	<u>16</u>	Joint STATUS REPORT by PUBLIC CITIZEN, INC.. (Rosenbaum, Adina) (Entered: 03/22/2019)
03/22/2019		MINUTE ORDER: In light of the parties' most recent joint status report, the parties shall file an updated joint status report on or before June 20, 2019. Signed by Judge Christopher R. Cooper on 3/22/2019. (lccrc2) (Entered: 03/22/2019)
03/22/2019		Set/Reset Deadlines: Joint Status Report due by 6/20/2019 (lsj) (Entered: 03/22/2019)
06/20/2019	<u>17</u>	Joint STATUS REPORT by PUBLIC CITIZEN, INC.. (Rosenbaum, Adina) (Entered: 06/20/2019)
06/20/2019		MINUTE ORDER: The parties shall file their next joint status report on or before August 20, 2019. Signed by Judge Christopher R. Cooper on 6/20/2019. (lccrc2) (Entered: 06/20/2019)
06/21/2019		Set/Reset Deadlines: Status Report due by 8/20/2019 (lsj) (Entered: 06/21/2019)
08/20/2019	<u>18</u>	Joint STATUS REPORT by PUBLIC CITIZEN, INC.. (Rosenbaum, Adina) (Entered: 08/20/2019)
09/03/2019		MINUTE ORDER: The parties shall file their next status report by October 16, 2019. If any disputes remain after production is completed on or before September 16, 2019, the parties shall confer and include a proposed schedule for summary judgment briefing in their next status report. Signed by Judge Christopher R. Cooper on 9/3/19. (lccrc2) (Entered: 09/03/2019)
09/04/2019		Set/Reset Deadlines: Status Report due by 10/16/2019 (lsj) (Entered: 09/04/2019)

10/16/2019	<u>19</u>	Joint STATUS REPORT by DEPARTMENT OF LABOR. (Sroka, Scott) (Entered: 10/16/2019)
10/17/2019		MINUTE ORDER: The parties are directed to file their next joint status report by November 16, 2019. As it appears from the parties' latest <u>19</u> Joint Status Report that production is set to be complete on October 30, 2019, the parties shall meet and confer to determine if any disputes remain and, if so, include a joint proposed briefing schedule in the next status report. Signed by Judge Christopher R. Cooper on 10/17/19. (lccrc2) (Entered: 10/17/2019)
10/17/2019		Set/Reset Deadlines: Joint Status Report due by 11/16/2019 (lsj) (Entered: 10/17/2019)
11/18/2019	<u>20</u>	Joint STATUS REPORT by PUBLIC CITIZEN, INC.. (Rosenbaum, Adina) (Entered: 11/18/2019)
11/19/2019		MINUTE ORDER: In light of <u>20</u> the parties' latest joint status report, the parties are directed to file a joint status report by December 18, 2019, which shall include an update as to whether any disputes remain and, if necessary, a joint proposed summary judgment briefing schedule. Signed by Judge Christopher R. Cooper on 11/19/19. (lccrc2) (Entered: 11/19/2019)
11/19/2019		Set/Reset Deadlines: Joint Status Report due by 12/18/2019 (lsj) (Entered: 11/19/2019)